

REMARKS

Claims 1-66 are pending. Claim 19 is amended and claim 67 is added herein. No new matter is added. The Applicants respectfully submit that new claim 67 is directed to the elected subject matter of purported Group XII, as presented herein.

The Applicants respectfully assert that no search burden present, because the search of purported Groups XII and XIII would be identical. For example, a search for a method comprising a 158P1D7-related protein or a 158P1D7-related protein encoded by a 158P1D7 polynucleotide is coextensive. Because no burden of search is present in searching a single subclass (in contrast to the requirement for a "serious burden" at MPEP 803), the reasons for restriction between these Groups are insufficient and the restriction may be properly withdrawn.

Applicant expressly reserves the right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 511582005000. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



Dated: March 24, 2003

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Please amend pending claim 19 as follows:

19. (Amended) A method of generating a mammalian immune response directed to 158P1D7, the method comprising:

exposing cells of the mammal's immune system to an immunogenic portion of an 158P1D7-related protein [or a nucleotide sequence that encodes said protein], whereby an immune response is generated to 158P1D7.